

BEFORE THE ARIZONA CORPORATION COMMISSION

2	COMMISSIONERS Arizona Corporation Commission		
3	DOUG LITTLE - Chairman DOCKETED		
4	BOB STUMP BOB BURNS MAY 1 3 2016		
5	TOM FORESE ANDY TOBIN DOCKETED BY		
6			
7	ROCK UTILITIES, LLC FOR A CERTIFICATE OF		
8	CONVENIENCE AND NECESSITY TO PROVIDE DECISION NO. 75549 WATER SERVICE IN PIMA COUNTY, ARIZONA		
9	ORDER EXTENDING TIME DEADLINE IN DECISION NOS.		
10	70030, 71226, 72532, AND 74392		
11	Open Meeting May 3 and 4, 2016		
12	Phoenix, Arizona		
13	BY THE COMMISSION:		
14	* * * * * * * * *		
15	Having considered the entire record herein and being fully advised in the premises, the Arizona		
16	Corporation Commission ("Commission") finds, concludes, and orders that:		
17	FINDINGS OF FACT		
18	1. In Decision No. 70030 (December 4, 2007), the Commission approved the application		
19	of Red Rock Utilities, LLC ("Red Rock" or "Company") for a Certificate of Convenience and		
20	Necessity ("CC&N") to provide public water service in Pima County, Arizona.		
21	2. As part of Decision No. 70030, the Commission ordered Red Rock to file, within 24		
22	months of the effective date of that Decision, a copy of the Approval to Construct ("ATC") the water		
23	system facilities needed to serve Phase I of the Verano Master Planned Community ("Verano") from		
24	the Arizona Department of Environmental Quality ("ADEQ").1		
25	3. Based on the effective date of Decision No. 70030, the original deadline for complying		
26	with the requirement to file the ATC for Phase I was December 4, 2009.		
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28	¹ The Pima County Department of Environmental Quality is functioning as the delegate of ADEQ.		
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- 4. Decision No. 71226 (August 6, 2009) subsequently extended the December 4, 2009 due date to December 4, 2011, Decision No. 72532 (August 17, 2011) extended the due date until December 4, 2013, and Decision No. 74392 (March 19, 2014) further extended the due date until December 4, 2015.
- 5. On August 24, 2015, the Company filed a Motion for Further Extension of Compliance Filing Date Deadline ("Motion") requesting that the deadline for filing the ATC for the remaining water system facilities needed to serve Phase I be extended from December 4, 2015, to December 4, 2017. According to the Company, the financial crisis of 2008 and the related and subsequent prolonged recession in Arizona have precluded the developer (South Wilmot Land Investors, LLC, or "SWLI") from implementing the original timeline for the development of Verano. The Company attached to its Motion a letter from the developer reiterating SWLI's desire that the Company be the authorized provider of potable water service to and within Verano.
- 6. On April 1, 2016, Staff filed a Memorandum in which it states that it does not object to the Company's request for an extension of time, and recommends a 10-year extension of time for filing the ATC.
- 7. The delay in the development of Verano is not atypical of other developments in Arizona over the past few years. The developer remains committed to the Verano project and desires the Company to provide potable water service to that area. Under the circumstances, we believe that it is reasonable to grant a 10-year extension of time for the Company to file the ATC, as recommended by Staff.

CONCLUSIONS OF LAW

- 1. Red Rock Utilities, LLC is a public service corporation within the meaning of Article XV of the Arizona Constitution and A.R.S. §§ 40-281 and 40-282.
- 2. The Commission has jurisdiction over Red Rock Utilities, LLC and the subject matter of the Motion.
- 3. An extension of time to comply with the requirements of Decision Nos. 70030, 71226, 72532, and 74392 as discussed herein, is fair and reasonable and in the public interest.

ORDER

IT IS THEREFORE ORDERED that the deadline for Red Rock Utilities, LLC to file the Approval to Construct, as required by Decision Nos. 70030, 71226, 72532, and 74392, is hereby extended until December 4, 2025.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY QRDER OF THE ARIZONA CORPORATION COMMISSION. COMMISSIONER



IN WITNESS WHEREOF, I, JODI JERICH, Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this

JODI JERICH EXECUTIVE DIRECTOR

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DECISION NO.

1	SERVICE LIST FOR:	RED ROCK UTILITIES, LLC	
2	DOCKET NO.	WS-04245A-07-0363	
3	Mark Weinberg		
4	General Manager RED ROCK UTILITIES, LLC		
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6	Lawrence V. Robertson, Jr., Esq.		
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11			
12	Thomas Broderick, Director Utilities Division		
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